



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

(1) First and Final Account and Report of Administrators; and (2) Petition for Settlement Thereof; and (3) Petition for Allowance of Statutory Compensation to Administrators and Attorney for Ordinary Services; and (4) Petition for Allowance of Compensation to Administrators for Extraordinary Services; and (5) Petition for Reimbursement of Costs Advanced and (6) Petition for Final Distribution

DOD: 3-9-13		RENEE DAUER and MARJORIE DAUER-PIPER, Co-Administrators with Full IAEA without bond, are Petitioners.	NEEDS/PROBLEMS/COMMENTS:
			<p>Note: A "Supplement" to the petition was filed 9-29-14, the day before the last hearing, which contained additional accounting schedules and information. There was not sufficient time to review this document prior to the hearing on 9-30-14 and the matter was continued.</p>
Cont. from 093014		Account period: 9-3-13 through 8-12-14	<p>A "Revised Supplement" that appears to supersede the prior "Supplement" was filed 10-24-14.</p>
	Aff.Sub.Wit.	Accounting: \$66,436.07	
✓	Verified	Beginning POH: \$56,108.04	<p>The differences between the Revised Supplement and the original petition are tracked here for reference.</p>
✓	Inventory	Ending POH: \$59,264.22 (cash)	
✓	PTC	Co-Executors (Statutory): \$2,600.00 (\$1,300.00 to each Co-Executor)	<p>Note: The Revised Supplement is not verified by the petitioners and was served on interested parties (DHS) 11 days prior to the hearing.</p>
✓	Not.Cred.	Attorney (Statutory): \$2,600.00	
✓	Notice of Hrg	Attorney (costs): \$1,346.00 (filing, appraisal, publication, certified letters)	<p>SEE ADDITIONAL PAGES</p>
✓	Aff.Mail		
	Aff.Pub.		<p>Reviewed by: skc</p>
	Sp.Ntc.		
	Pers.Serv.		<p>Reviewed on: 10-29-14</p>
	Conf. Screen		
✓	Letters	Extraordinary Compensation: Petitioners state they rendered extraordinary services to the estate totaling \$19,795.00 \$19,042.50 including caring for the decedent in her daily routine, such as bathing and paying bills (during conservatorship), and also worked to clean, organize, and maintain the decedent's residence, which resulted in a \$10,000.00 gain on sale. Petitioners state the work on the residence included sorting accumulated possessions from years of hoarding. See itemization at Exhibit C of the Revised Supplement for details.	<p>Updates:</p>
	Duties/Supp		
	Objections		<p>Recommendation:</p>
	Video Receipt		
	CI Report		<p>File 4 - Dauer</p>
✓	9202	<ul style="list-style-type: none"> Petitioner Renee Dauer requests compensation for 592 574.5 total hours of service @ \$15.00/hr for a total of \$8,800.00 \$8,617.50. 	
✓	Order	<ul style="list-style-type: none"> Petitioner Marjorie Dauer-Piper requests compensation for 733 695 total hours of service @ \$15.00/hr for a total of \$10,995.00 \$10,425.00. 	
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
✓	FTB Notice		
SEE ADDITIONAL PAGES			

Page 2

Petitioners also request reimbursement totaling \$11,036.40-\$10,499.77 (\$4,210.45 for payments made from personal funds during conservatorship of the decedent and \$6,289.32 made after the conservatee's death, pursuant to Exhibits A and B of Revised Supplement, proportionately pursuant to each person's deposits into the account.

- Renee Dauer requests reimbursement of \$1,427.34 for payments made during conservatorship and \$2,132.08 made after the conservatee's death (total \$3,559.42).
- Marjorie Dauer-Piper requests \$1,486.29 for payments made during conservatorship and \$2,220.13 made after the conservatee's death (total \$3,706.42).
- Mary Dauer requests \$1,296.82 for payments made during conservatorship and \$1,937.11 made after the conservatee's death (total: \$3,233.93).

Distribution: Department of Health Care Services Medi-Cal lien the remaining amount of **\$21,886.82 \$23,173.95**, plus any other amounts not now known or discovered to satisfy the remaining balance of the claim (\$190,763.24), and thereafter to Petitioners as heirs.

NEEDS/PROBLEMS/COMMENTS:

1. **Examiner Notes previously noted:** Petitioners request a total of \$11,036.40 in reimbursement for expenses paid during the conservatee's lifetime dating back to January 2011. The petition did not provide authority or explanation for this request, so Examiner was tasked with reviewing the Conservatorship Case 08CEPR01182. It appears that the Court's order entered 10-15-13 on the Third and Final Account in Conservatorship Case 08CEPR01182 states: "Upon the presentation and approval by the Court of an accounting, Petitioners and Mary Dauer shall be reimbursed for payments made from their personal funds for the care of the conservator upon the sale of the residence." (This is noted because it would have been helpful if this petition had referred to the Court's authorization of this request.)

The Conservatorship file indicates that Petitioners and their mother, Mary Dauer, deposited \$100/month into an account "held by them" to pay for the conservatee's expenses not covered by the Conservatee's income beginning in January 2011. The narrative described that items paid from this account included Kaiser health insurance, State Farm Homeowner's Insurance, PG&E for the conservatee's residence, Biola Community Service District (water service), and the Probate Bond. However, it appears that this account "held by them" was not considered to be a part of the conservatorship estate, and was not included in the accounts.

Petitioners, in Exhibit "D" to this petition, do not provide an accounting of these funds for reimbursement. Rather, Exhibit "D" only indicates deposits into the account "held by them." It does not provide a schedule of disbursements from that account.

The Court's order authorized reimbursement upon account. Therefore, need accounting for the \$11,036.40 requested.

Revised Supplement provides Disbursements Schedules (Exhibits A and B) from the account covering the periods before and after the conservatee's death and includes \$10,499.77 in disbursements as previously described: Kaiser health insurance, State Farm Homeowner's Insurance, PG&E for the conservatee's residence, Biola Community Service District (water service), Probate Bond. Petitioners request, and revised proposed order reflects, \$6,289.32 rather than \$11,036.40, proportionately based on each person's deposits into the account.

SEE ADDITIONAL PAGES

Dept. 303, 9:00 a.m. Tuesday, November 4, 2014

2. **Examiner Notes previously noted:** Petitioners also request \$19,795.00 in extraordinary services to the estate as described in Exhibit "C," which includes services rendered during the decedent's lifetime such as caring for the decedent during the conservatorship, paying bills, and later services including cleaning, organizing and maintaining the decedent's residence. Petitioners indicate 1,325 total hours and state that their cleaning and maintenance of the residence (described as sorting "hoarded" possessions) resulted in a \$10,000 gain on the sale as a benefit to the estate.

However, Examiner notes that the Orders entered in the conservatorship matter do not indicate that any request for compensation for services rendered during the conservatee's lifetime was requested or to be expected. They only mention that a request for reimbursement as noted above would be forthcoming.

As such, the Court may require authority for the request for payment for services rendered prior to the conservatee's death as extraordinary expenses of the estate. (It is noted that Petitioner Marjorie Dauer-Piper, who was the sole conservator of the estate, has already been discharged.)

The Court may also require authority for including various tasks relating to final bills and funeral arrangements as extraordinary expenses, since these are typical estate expenses included in the statutory compensation considered by the Probate Code.

The Court may also require clarification regarding the benefit to the estate for the services rendered pursuant to Cal. Rules of Court 7.702. Petitioners request almost double the amount of gain on the sale of the house, so this does not appear to be a benefit to the estate or to the creditor, DHS, which is owed over \$190,000.00 according to the Creditor's Claim.

Lastly, it appears some of the entries/hours may be duplicated, such as entries on 3-9-13 for each petitioner showing six hours each spent on funeral arrangements.

Revised Supplement states that as the sole asset of the estate was real property, it was understood by the petitioners and the decedent that compensation for services would come from the estate once the property was sold in the same way that reimbursement for costs of the conservatorship were ordered to be paid from the proceeds of the sale. Although the final account of the conservators does not include an express order for compensation for such services, Petitioners maintained the deceased conservatee's residence, finances, and other matters with an expectation of compensation in addition to reimbursement.

The Revised Supplement states that had the petitioners not performed these services, others would have been hired to perform them and would have been paid from the conservatorship estate or estate. Petitioners state the requested hourly rate is reasonable estimate of the cost to hire others. Petitioners submit that approval of compensation for these services is in line with the previous order of the Court.

Petitioners state that the benefit to the estate cannot be measured solely by the \$10,000.00 gain on the sale. The gain is based on the appraised value of the house on the decedent's date of death, which followed nearly three years of cleaning, maintenance, and yard care. Without the upkeep during conservatorship, it is likely the house would have appraised at under \$55,000.00, leading to a lower sale price, and hurting the estate and the creditor.

		TEMP EXPIRED 9-15-14	NEEDS/PROBLEMS/COMMENTS:
		GLORIA ANDERSON , maternal grandmother, is petitioner.	<u>Continued from 5-14-14, 9-15-14</u>
		Father: UNKNOWN	<u>Minute Order 5-14-14:</u> The court investigator is ordered to conduct a further investigation of the parties. The Court orders that the follow-up report include a CLETS report of mother's boyfriend/ fiancé. The Court directs that a copy of both reports be provided to Ms. Jones and the mother. The visitation agreement entered into by the parties during mediation remains in full force and effect. Parties are ordered to be flexible and use good faith when arranging visitation during the summer. The Court orders that the child not to be any vehicle unless the driver is licensed and insured. Parties are ordered not to use alcohol, Marijuana, or any controlled substances around the child. Matter continued to 9/15/14. The temporary is extended to 9/15/14. Continued to 9/15/14 @ 9:00 a.m. Dept. 303
		Mother: DIANA VALENCIA	<u>Minute Order 9-15-14:</u> Temporary expires. General hearing continued to 11-4-14. The Court's intention is to deny petition with visitation exit order. Mediation today at 10:30 or 1:30.
	Aff.Sub.Wit.	Paternal grandparents: Unknown	<u>Note:</u> A mediation agreement was filed 9-18-14 that indicates a visitation arrangement for the petitioner.
✓	Verified	Maternal grandfather: Deceased	1. Although Notice of Hearing has not been filed, Proof of Personal Service filed 10-28-13 indicates service of documents on the mother. The mother and additional relatives also participated in mediation. If this petition goes forward, the Court may require formal notice or diligence pursuant to Probate Code §1511 to the mother, the unknown father and paternal grandparents, and all siblings age 12 and older.
	Inventory	Petitioner states the minor has been in her care since birth. His mother has an extreme history with drug abuse. She has used methamphetamine off and on for several years. Mom has ten children; eight of those children reside primarily with their biological father and have no relationship with their mother. The minor tested positive for drugs at birth. Supplemental Declaration of Gloria Anderson filed on 10/31/13. The declaration includes several declarations from others stating why the minor should be with the petitioner.	Reviewed by: skc
	PTC		Reviewed on: 10-29-14
	Not.Cred.		Updates:
	Notice of Hrg	x	Recommendation:
	Aff.Mail		File 5 - Valencia
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.	w	
✓	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
	Video Receipt		
✓	CI Report		
✓	Clearances		
✓	Order		
		Court Investigator Jennifer Young filed a report on 5-5-14.	
		DSS Social Worker Irma Ramirez filed a report pursuant to Probate Code §1513(b).	
	Aff. Posting		
	Status Rpt		
✓	UCCJEA		
	Citation		
	FTB Notice		

DOD: 8-6-13			SARAH MEDINA CAMPBELL, Administrator with Full IAEA without bond, is Petitioner. Account period: 8-6-13 through 9-12-14 Accounting: \$105,000.00 Beginning POH: \$105,000.00 Ending POH: \$ 13,582.98 Administrator (Statutory): \$4,075.00 Attorney (Statutory): \$4,075.00 Closing: \$800.00 Petitioner states all creditor's claims filed against the estate have been approved and paid. Petitioner states the estate was required to pay the sum of \$1,532.60 to the City of Fresno Utilities Billing & Collections by reason of an unpaid utility bill incurred and owed by Jose Andrew Medina during his occupancy of the estate's real property, which became a lien against the estate. Petitioner requests that amount be charged against the hare of the estate distributable to him. Distribution pursuant to intestate succession: Sarah Medina Campbell: \$3,082.79 Jose Andrew Medina: \$1,550.19	NEEDS/PROBLEMS/COMMENTS:
	Aff.Sub.Wit.			
✓	Verified			
✓	Inventory			
✓	PTC			
✓	Not.Cred.			
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	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
✓	9202			
✓	Order			
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
✓	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10-30-14	
			Updates:	
			Recommendation:	
			File 8 – Medina	

DOD: 1-9-14		JOHN FRANKLIN MARCHESE , Son and named Co-Executor without bond, is Petitioner. The other named Co-Executor, Ronald Thomas Marchese, declines to act. Full IAEA – ok Will dated 4-10-91 Residence: Fresno Publication: Fresno Business Journal Estimated Value of Estate: Personal property: \$260,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Tuesday, April 7, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Tuesday, April 5, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Reviewed by: skc
Reviewed on: 10-30-14
Updates:
Recommendation: SUBMITTED
File 9 – Marchese

DOD: 11-25-13		LEAH M. RODRIGUEZ , Surviving Spouse, is Petitioner. No other proceedings Decedent died intestate Petitioner states she and the decedent were married on May 21, 1997. The property described in this petition located in Kingsburg, CA, was acquired on August 16, 2000, during the marriage. Monthly payments on the note secured by deed of trust on the property were paid with the decedent's and Petitioner's earnings during the marriage. In addition, all real property taxes and assessments, homeowner's insurance, maintenance and repairs were paid with community funds of the decedent and Petitioner. Petitioner requests Court determination that Petitioner's community property interest in the real property belongs to her, and that the decedent's community property interest in the real property passes to her.	NEEDS/PROBLEMS/COMMENTS:	
<input type="checkbox"/>	Aff.Sub.Wit.			
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<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
			Reviewed by: skc	
			Reviewed on: 10-30-14	
			Updates:	
			Recommendation:	
			File 10 – Rodriguez	

DOD: 7-24-14 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"> </td><td style="width: 15%;">Aff.Sub.Wit.</td><td style="width: 10%;"> </td></tr> <tr><td>✓</td><td>Verified</td><td> </td></tr> <tr><td> </td><td>Inventory</td><td> </td></tr> <tr><td> </td><td>PTC</td><td> </td></tr> <tr><td> </td><td>Not.Cred.</td><td> </td></tr> <tr><td>✓</td><td>Notice of Hrg</td><td> </td></tr> <tr><td>✓</td><td>Aff.Mail</td><td>w/o</td></tr> <tr><td>✓</td><td>Aff.Pub.</td><td> </td></tr> <tr><td> </td><td>Sp.Ntc.</td><td> </td></tr> <tr><td> </td><td>Pers.Serv.</td><td> </td></tr> <tr><td> </td><td>Conf. Screen</td><td> </td></tr> <tr><td>✓</td><td>Letters</td><td> </td></tr> <tr><td>✓</td><td>Duties/Supp</td><td> </td></tr> <tr><td> </td><td>Objections</td><td> </td></tr> <tr><td> </td><td>Video Receipt</td><td> </td></tr> <tr><td> </td><td>CI Report</td><td> </td></tr> <tr><td> </td><td>9202</td><td> </td></tr> <tr><td>✓</td><td>Order</td><td> </td></tr> <tr><td> </td><td>Aff. Posting</td><td> </td></tr> <tr><td> </td><td>Status Rpt</td><td> </td></tr> <tr><td> </td><td>UCCJEA</td><td> </td></tr> <tr><td> </td><td>Citation</td><td> </td></tr> <tr><td> </td><td>FTB Notice</td><td> </td></tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	w/o	✓	Aff.Pub.			Sp.Ntc.			Pers.Serv.			Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt			CI Report			9202		✓	Order			Aff. Posting			Status Rpt			UCCJEA			Citation			FTB Notice		<p>NATALIE STAMM, Daughter and Named Executor without bond, is Petitioner.</p> <p>Full IAEA: ok</p> <p>Will dated 1-9-13</p> <p>Residence: Clovis Publication: Fresno Business Journal</p> <p>Estimated Value of Estate: Personal property: \$ 7,500.00 Real property: \$175,000.00 Total: \$182,500.00</p> <p>Probate Referee: Steven Diebert</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>Note:</u> If the petition is granted, status hearings will be set as follows:</p> <ul style="list-style-type: none"> • Tuesday, April 7, 2015 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. • Tuesday, April 5, 2016 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. <p>Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 20px;"> <tr><td>Reviewed by: skc</td></tr> <tr><td>Reviewed on: 10-30-14</td></tr> <tr><td>Updates:</td></tr> <tr><td>Recommendation: SUBMITTED</td></tr> <tr><td>File 11 – Hioco</td></tr> </table>	Reviewed by: skc	Reviewed on: 10-30-14	Updates:	Recommendation: SUBMITTED	File 11 – Hioco
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Atty Orozco, Norma (Pro Per – Maternal Grandmother – Petitioner)

Petition for Appointment of Guardian of the Person (Prob. C. 1510).

		TEMP DENIED 7-28-14	NEEDS/PROBLEMS/COMMENTS:
		NORMA OROZCO , Maternal Grandmother, is Petitioner.	Minute Order 7-28-14 (Temp): The petition is denied. The general hearing remains set for 9-16-14. Toni Orozco (Mother) is ordered to be personally present on 9-16-14.
		Father: HECTOR ESCOBEDO - Consents and waives notice	
Cont. from 091614		Mother: TONI OROZCO - Present at temp hearing 7-28-14	Minute Order 9-16-14: Mother is not to take children out of California. Mother's address and telephone number are provided. Since mother is local, Court Investigation is to now complete her report.
<input type="checkbox"/>	Aff.Sub.Wit.	Paternal Grandfather: Fernando Escobedo Paternal Grandmother: Elvira Escobedo Maternal Grandfather: Antonio Orozco	
<input checked="" type="checkbox"/>	Verified	Petitioner states the mother takes the children to Tijuana, Mexico to visit her husband, who was deported for DUI and domestic violence. Petitioner describes one incident where the mother's husband kicked them out and the mother had to walk back to the town on a dirt road in the middle of the night with the children. In another incident, the mother was arrested in Mexico for an unknown reason. She continues to put her daughters in danger by taking them out of the country, even when she knows DSS and CPS have cases open against her. Petitioner is very concerned for her granddaughters. She believes her daughter is mentally unfit to care for the children at this time. Petitioner also filed a declaration with additional information. Please see file for details.	Note: DSS Social Worker Irma Ramirez filed a report on 10-28-14.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		1. Need proof of service of Notice of Hearing with a copy of the petition at least 15 days prior to the hearing on paternal grandparents and maternal grandfather per Probate Code §1511.
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	x	Reviewed by: skc
<input checked="" type="checkbox"/>	Aff.Mail	x	
<input type="checkbox"/>	Aff.Pub.		Reviewed on: 10-29-14
<input type="checkbox"/>	Sp.Ntc.		Updates:
<input type="checkbox"/>	Pers.Serv.		Recommendation:
<input checked="" type="checkbox"/>	Conf. Screen		File 17 - Escobedo
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
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<input checked="" type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

			<p>NEEDS/PROBLEMS/COMMENTS:</p> <p><u>OFF CALENDAR</u></p> <p>Amended petition filed 10-28-14 is set for hearing on 11-19-14.</p>
Cont. from 093014			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
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	Notice of Hrg	x	
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			<p>Reviewed by: skc</p> <p>Reviewed on: 10-29-14</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 18 - Simental</p>

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 13		<u>Temporary Denied on 09/03/2014</u>		NEEDS/PROBLEMS/COMMENTS:	
		VIRGINIA ALVARADO , Aunt, is Petitioner.		Minute Order of 10/07/2014: Mother objects to the guardianship. Examiner notes are provided to the petitioner. The petitioner is ordered to schedule an appointment with the Court Investigator forthwith.	
		Father: CRUZ SUBIA		As of 10/29/2014 no written objections have been filed.	
Cont. from 100714		Mother: ELEANOR SUBIA, Declaration of Due Diligence filed 08/01/2014		Minute Order of 09/03/2014: Child is living with the mother. The Court is concerned that the child is not in school and other statements made in court. The Court orders CPS referral.	
	Aff.Sub.Wit.		Paternal and Maternal Grandparents are not listed.		
✓	Verified		Minor: Cruz Jasmine Subia, Consents and Waives Notice		
	Inventory		Siblings: Corina Medrano, Nicole Medrano, Isaac Subia		
	PTC		Petitioner states the mother gets angry with her daughter and will kick her out of the house and call Petitioner to come get her. This happens every two to three months. Petitioner feels the mother just takes her back for the welfare money. The child doesn't need to be physically as well as mentally/verbally abused by her parents. They don't care for her education.		
	Not.Cred.		Petitioner requests to be excused from giving notice to the mother because she is harassing everyone with childish games, throwing her child out then wanting her back.		
	Notice of Hrg	x	Attached is a copy of a letter from the mother dated 8-2-13 giving Petitioner custody of this minor and her brother.		
	Aff.Mail	x	Court Investigator Samantha Henson's report filed 09/30/2014.		
	Aff.Pub.		<u>Please see additional page</u>		
	Sp.Ntc.				
	Pers.Serv.	x			
✓	Conf. Screen				
✓	Letters				
✓	Duties/Supp				
	Objections				
	Video Receipt				
✓	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 10/29/2014	
				Updates:	
				Recommendation:	
				File 19 - Subia	

Court Investigator Samantha Henson's Supplemental Report filed 10/22/2014.

Needs/Comments/Problems continued:

3. Need proof of service fifteen (15) days prior to the hearing of the Notice of Hearing along with a copy of the Petition for Appointment of Guardian or consent and waiver of notice or declaration of due diligence for:
 - Paternal Grandparents
 - Maternal Grandparents
4. UCCJEA is incomplete. Need minor's residence information for the past 5 years.

20 Mary White (Det Succ)
 Atty Sellai, Brian (Pro Per Petitioner)
 Atty Sellai, Matt (Pro Per Petitioner)
 Atty Cruz, Danielle (Pro Per Petitioner)
 Atty White, Courtney (Pro Per Petitioner)

Case No. 14CEPR00741

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 7-26-13		BRIAN SELLAI, MATT SELLAI, DANIELLE CRUZ, and COURTNEY WHITE , adult children of the decedent, are Petitioners. 40 days since DOD No other proceedings I&A: \$73,500.00 (real property, vehicle, personal property) Decedent died intestate Petitioners request Court determination that the decedent's real property, vehicle, and personal property passes as follows: Real property: Brian Sellai Vehicle: Courtney White Personal property: Brian Sellai, Matt Sellai, Danielle Cruz, and Courtney White, jointly	NEEDS/PROBLEMS/COMMENTS:	
			<u>Continued from 9-16-14</u>	
			<u>Minute Order 9-16-14</u> : Examiner Notes given. Continued to 11-4-14.	
Cont. from 091614			The following issues remain noted:	
	Aff.Sub.Wit.		1. <u>Examiner notes the following discrepancies with the signatures on the petition:</u>	
✓	Verified		- The only original signature appears to be that of Brian Sellai, and it is not dated. - The signature of Matt Sellai is a copy.	
	Inventory		- The signatures of Danielle Cruz and Courtney White are not originals. They appear to be printed color scans.	
	PTC		- The signatures of Danielle Cruz and Courtney White are dated from November 2013 (approx. 10 months ago).	
	Not.Cred.		The Court may require original dated signatures from all petitioners.	
✓	Notice of Hrg		2. <u>Need amended Inventory and Appraisal</u> . The Inventory and Appraisal is not verified by any of the petitioners and is blank at #3 and #5. (This is pertinent information regarding whether the inventory contains all of the estate assets, showing whether the estate qualifies for summary proceeding under §13150.	
✓	Aff.Mail		3. <u>The petition is blank at #9(a)(7) or (8)</u> . Is the decedent survived by issue of a predeceased child?	
	Aff.Pub.		<u>SEE PAGE 2</u>	
	Sp.Ntc.		Reviewed by: skc	
	Pers.Serv.		Reviewed on: 10-29-14	
	Conf. Screen		Updates:	
	Letters		Recommendation:	
	Duties/Supp		File 20 - White	
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order	X		
	Aff. Posting			
	Status Rpt			
	UCCJEA			
	Citation			
	FTB Notice			

Page 2

NEEDS/PROBLEMS/COMMENTS (Cont'd):

4. The petition does not state what the decedent's interest in all of the assets was at Attachment 11.
5. The petition requests to distribute the assets in a manner inconsistent with intestate succession, and cannot go forward as prayed. If the four petitioners are the heirs, then pursuant to Probate Code §6401, they are each entitled to an equal share of all assets. There is no provision for distribution pursuant to agreement or assignments of interest in this type of summary proceeding.

(Attachment 14 requests distribution of the real property to Brian Sellai, the vehicle to Courtney White, and the personal property to all four siblings jointly.)

Spousal or Domestic Partner Property Petition (Prob. C. 13650)

DOD: ?		MEE YANG , surviving spouse, is petitioner.	NEEDS/PROBLEMS/COMMENTS: <u>OFF CALENDAR. Amended petition filed 10/28/2014.</u> <u>Hearing set for 12/11/2014.</u> The Petition is vastly incomplete making it impossible for the Examiner to review the pleadings. The petitioner may wish to seek the advice of legal counsel.		
Cont. from 092314					
	Aff.Sub.Wit.				
✓	Verified				
	Inventory				
	PTC				
	Not.Cred.				
	Notice of Hrg				
	Aff.Mail				
	Aff.Pub.				
	Sp.Ntc.				
	Pers.Serv.				
	Conf. Screen				
	Letters				
	Duties/Supp				
	Objections				
	Video Receipt				
	CI Report				
	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: LV	
				Reviewed on: 10/29/2014	
				Updates:	
				Recommendation:	
			File 21 - Her		